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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

10/a  
B. Wehke  
6/7/01

Application of: Behlke et al.

Application No.: 09/497,943

Group Art Unit: 1643

Filed: February 4, 2000

Examiner: Bradley L. Sisson

For: PRIMER EXTENSION METHODS FOR  
PRODUCTION OF HIGH SPECIFICITY  
NUCLEIC ACID PROBES

Attorney Docket No.: 7614-018

**RESPONSE TO OFFICE ACTION**

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

In response to the outstanding Office Action dated September 12, 2000, in which the Examiner imposed a restriction requirement, please consider the following remarks. Applicants submit concurrently herewith (a) a return copy of a Notice to Comply with Requirements for Patent Applications Containing Nucleotide Sequence and/or Amino Acid Sequence Disclosures; (b) a Substitute Sequence Listing in paper and computer readable forms pursuant to 37 C.F.R. §1.821(c), (d) and (e), respectively; (c) a Transmittal of Sequence Listing under 37 C.F.R. §1.821; and (d) an Information Disclosure Statement, with a List of References Cited and copies of references AA-BA.

**IN THE CLAIMS:**

Please amend the claims as follows:  
Cancel claims 1-28 without prejudice.

**REMARKS**

The Examiner has required an election under 35 U.S.C. § 121 of one of the following inventions:

- I. Claims 1-14, drawn to a complex, classified in class 536, subclass 24.32; and claims 15-28, drawn to a reaction mixture, classified in class 536, subclass 23.1; and
- II. Claims 29-48, drawn to a method of labeling nucleic acid, classified in class 435, subclass 91.1; claims 49 and 50, drawn to a method of